

House File 2354 - Introduced

HOUSE FILE 2354
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 599)

A BILL FOR

1 An Act relating to electronic recordings of court proceedings
2 within a magistrate's jurisdiction.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.1209, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 16A. Prescribe practices and procedures
4 for the maintenance of electronic recordings and production of
5 transcripts from electronic recordings referred to in section
6 602.6405, subsection 4.

7 Sec. 2. Section 602.6405, Code 2016, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 4. Trials and contested hearings within
10 a magistrate's jurisdiction shall be electronically recorded,
11 unless a party provides a certified court reporter at the
12 party's expense. The electronic recordings shall be securely
13 maintained consistent with the practices and procedures
14 prescribed by the state court administrator and shall be
15 retained for one year after entry of a final judgment in the
16 trial court or until thirty days after final disposition,
17 whichever is later. Transcripts from electronic recordings
18 required for appeals shall be produced and paid for in a manner
19 consistent with practices and procedures prescribed by the
20 state court administrator.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill requires that trials and contested hearings before
25 a magistrate be electronically recorded unless a party provides
26 a certified court reporter at such party's expense. The
27 electronic recordings are to be securely maintained consistent
28 with the practices and procedures prescribed by the state
29 court administrator and are to be retained for one year after
30 entry of a final judgment in the trial court or until 30 days
31 after final disposition, whichever is later. Transcripts from
32 electronic recordings required for appeals are to be produced
33 and paid for consistent with the practices and procedures
34 prescribed by the state court administrator.